

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 NOV 14 AM 9:18

JUNE HARTS,

Plaintiff,

v.

CARGILL, INCORPORATED,

Defendant.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENNESSEE

Case No. 2:05-cv-2628-BBD-sta

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): November 30, 2005

JOINING PARTIES:

for Plaintiff: January 16, 2006
for Defendant: February 16, 2006

AMENDING PLEADINGS:

for Plaintiff: January 16, 2006
for Defendant: February 16, 2006

COMPLETING ALL DISCOVERY: July 16, 2006

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS FOR ADMISSIONS:** July 16, 2006

(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**
(i) Plaintiff's Experts: May 16, 2006
(ii) Defendant's Experts: June 16, 2006
(iii) Supplementation under Rule 26(e): June 26, 2006

(c) **DEPOSITIONS OF EXPERTS:** July 16, 2006

FILING DISPOSITIVE MOTIONS: August 16, 2006

12

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: 45 days before trial
- (b) for Defendant: 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 3-4 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

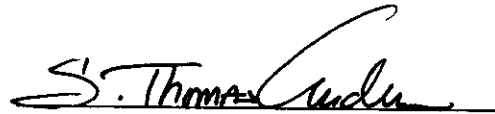
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: November 10, 2005

Active\3291124.1



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CV-02628 was distributed by fax, mail, or direct printing on November 15, 2005 to the parties listed.

Jimmy Moore
CIRCUIT COURT, 30TH JUDICIAL DISTRICT
140 Adams Ave.
Rm. 224
Memphis, TN 38103

Melissa M. Bien
MCQUIREWOODS LLP
77 West Wacker Drive
Chicago, IL 60601

Joel H. Spitz
MCGUIREWOODS LLP
77 West Wacker Dr.
Ste. 4100
Chicago, IL 60601

Michael R. Phillips
MCGUIREWOODS LLP
77 West Wacker Drive
Suite 4100
Chicago, IL 60601

Thomas L. Henderson
LEWIS FISHER HENDERSON & CLAXTON, LLP
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119

Joseph M. Crout
BOWLING & BOWLING
7936 Players Forest Dr.
Memphis, TN 38119

Honorable Bernice Donald
US DISTRICT COURT